

123

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR No. 3246 of 2021

Date of Decision: 13.12.2021

Swaran Singh

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Parveen Kumar Garg, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this writ petition under Article 227 of the Constitution of India for setting aside the impugned order dated 11.10.2021 whereby the application under Order 6 Rule 17 read with Order 1 Rule 10 read with Section 151 CPC for permission of amendment of plaint was dismissed.

Plaintiff-petitioner seeks to amend the plaint in the context of correcting the khasra number, the details of which find mention in the application itself.

Evidently, the suit was filed on 16.03.2017. In the written statement filed by the defendants, specific objection was taken with regard to incorrect khasra numbers. Plaintiff-petitioner did not amend the plaint at that stage. Even both the

parties have led their evidence and the case has reached the stage of rebuttal evidence.

At this stage, the application has been filed. Plaintiff-petitioner has not cared to file the application in question even within 03 years of such disclosure of fact in respect of wrong khasra numbers.

At this stage, acceptance of the application would lead to denovo trial as both the parties have already concluded their evidence.

No indulgence can be granted in view of these facts.

Dismissed.

13.12.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No